



Town of Groton, Connecticut

45 Fort Hill Road
Groton, CT 06340-4394
Town Clerk (860)441-6640
Town Manager
(860)441-6630

Meeting Minutes

Representative Town Meeting

Representatives Jeffrey Armstrong, Joseph Baril, Lori Bartinik, Genevieve Cerf, Wayne Chiapperini, Michael Collins, Joseph delaCruz, Luanne DeMatto, Debra Dickey, Susan Dowling, Shirley Dunbar-Rose, George Edwards Jr, Suzanne Elliot, Robert Garcia, Patrice Granatosky, Dolores Harrell, Barbara Hoelck, David Miner, Nancy Mitchell, Deborah Monteiro, Matt Morton, Scott Newsome, Nora Patterson, Darcy Peruzzotti, Kevin Power, Don Pratt, Rita Schmidt, Jack Sebastian, Jennifer Smuts, Eleanor Steere, Fritz Stein, Joan Steinfeld, Irma Streeter, Mark Svencer, George Swift, Patricia Thunberg, Tom Vivirito, Robert Walker Sr, John Waller and Elizabeth Weil.

Wednesday, October 13, 2004

7:30 PM

Senior Center

Regular Meeting

A. ROLL CALL

Moderator Shirley Dunbar-Rose called the meeting to order at 7:33 p.m. 32 members were present and a quorum was declared.

Members Present: Rep. Armstrong, Rep. Baril, Rep. Bartinik, Rep. Cerf, Rep. Chiapperini, Rep. Collins, Rep. delaCruz, Rep. DeMatto, Rep. Dickey, Rep. Dowling, Rep. Dunbar-Rose, Rep. Granatosky, Rep. Harrell, Rep. Hoelck, Rep. Mitchell, Rep. Monteiro, Rep. M. Morton, Rep. Newsome, Rep. Patterson, Rep. Power, Rep. Schmidt, Rep. Sebastian, Rep. Steere, Rep. Stein, Rep. Steinfeld, Rep. Streeter, Rep. Svencer, Rep. Swift, Rep. Thunberg, Rep. Vivirito, Rep. Walker, Sr. and Rep. Weil

Members Absent: Rep. Edwards, Jr., Rep. Elliot, Rep. Garcia, Rep. Miner, Rep. Peruzzotti, Rep. Pratt, Rep. Smuts and Rep. Waller, II

Also present were Town Manager Mark Oefinger, Assistant to the Town Manager Lee Vincent, Mayor Watson, Town Councilors O'Beirne, Skrmetti, Kolnaski, Billing, Bartinik, Sheets and Bond, Manager of Inspection Services Kevin Quinn, Planning and Development Director Mike Murphy, Economic/Community Development Specialist Barbara Strother, Town Clerk Barbara Tarbox, and Assistant Town Clerk Sally Whitney.

B. MOMENT OF SILENCE AND SALUTE TO THE FLAG

The Moderator requested a moment of silence followed by the Salute to the Flag led by Mayor Watson.

C. APPROVAL OF MINUTES OF AUGUST 11, 2004

A motion to approve the minutes of August 11, 2004 was made by Rep. Steinfeld, seconded by Rep. Walker.

The vote on approval of the minutes carried 29 in favor, two abstentions. (abstaining: Reps. Mitchell and Monteiro)

D. CITIZENS' PETITIONS

Dana Parfitt, 32 St. Paul Court, expressed her thanks to the Town for the support and hard work that has resulted in the Ordinance for Adoption of Property Maintenance Code-Fort Hill Homes Area Neighborhood Revitalization Zone. She requested that the RTM take no action to veto the Ordinance.

Rep. DelaCruz arrived at this point in the meeting.

Jeff Vary, 2 Joliet Court, asked the RTM to support the NRZ Ordinance by taking no action. He believes this is a good thing for the neighborhood. The Ordinance may allow Fort Hill Homes to become a shining star which could lead other neighborhoods and towns to adopt such an

ordinance.

E. RECEPTION OF COMMUNICATIONS

Moderator Shirley Dunbar-Rose stated that Rep. Garcia is out of town and Reps. Miner and Pratt are ill. Rep. Elliot called to say she is unable to attend.

She requested a volunteer to serve on the Shellfish Task Force and serve as liaison to the RTM. The Moderator announced that Rep. Jack Sebastian was sworn in on September 3, 2004 and was appointed to the Rules and Procedures Committee. Rep. Stein was appointed to the Finance Committee. Reps. Svencer and Steinfeld have been appointed as liaisons to the Poquonnock Bridge Fire District Consolidation Review Committee, and Reps. Dowling and Mitchell have been appointed as liaisons to the Economic Development Strategic Planning Steering Committee.

2004-0263 Study for Water and Sewer Extension - Flanders Road Industrial Area

This matter was Referred to the RTM Public Works Committee, due back on November 10, 2004. The motion carried.

2004-0272 Steamboat Wharf Dredging

This matter was Referred to the RTM Public Works Committee, due back on November 10, 2004. The motion carried.

2004-0293 Road Acceptance

This matter was Referred to the RTM Public Works Committee, due back on November 10, 2004. The motion carried.

2004-0261 Land/Easement Acquisitions - Pleasant Valley Road South Reconstruction

This matter was Referred to the RTM Public Works Committee, due back on November 10, 2004. The motion carried.

Report of RTM Leadership on FY2006 Budget Recommendations

The report is attached.

F. REPORT OF THE TOWN MANAGER:

1. Financial report

Assistant to the Town Manager Lee Vincent highlighted the Community Conversation on Early Care and Education sponsored by the Groton Early Childhood Community Collaborative. He feels this is an important topic that could benefit our Town and help pre-K students get a head start. He invited anyone available to attend the open house for the new Family Resource Center at 52 Litton Ave on Friday, October 15, 2004.

Mr. Vincent reported that the Fund Balance as of July 1, 2004 is approximately \$8.7 million which is 8.6% of FYE 2005 expenditures. He expects the FYE 2004 audited figure by December. He stated the General Contingency for FYE 2005 was appropriated at \$400,000 and that several transfers have been approved by the Council and are awaiting RTM approval. This will leave a balance of \$254,000.

He reported an increase in the Capital Reserve Fund balance from \$2,941,170 to \$3,060,774. He explained the increase is due to loan repayments by the landfill (\$75,000) and golf course (\$16,311) as well as to interest income.

2. Monthly briefing

Town Manager Mark Oefinger announced that the Town has identified an architect for the school building project. The contract is being negotiated and should take about a month. He attended the ceremony for the 50th Anniversary of the Nautilus followed by the unveiling of the new "Welcome to the Submarine Capital of the World" sign. He thanked Electric Boat, ABCO Welding Supply and the Submarine Base for their donations and for manufacturing the new sign. He reported that many traffic improvements have recently been completed in the downtown area and announced that Big Y will open next week followed by Walgreen's Pharmacy. Construction has started on a new Tim Horton's building to replace the existing structure at the intersection of

Route 1 and Meridian Street Ext., and a new "99" Restaurant is being built on the former VW of Groton site.

The Manager stated that work is beginning to update the Economic Strategic Plan and a public meeting will be held soon.

Rep. Swift thanked the Town for traffic and safety improvements along Route 1 and Poquonnock Road.

Rep. Monteiro questioned the status of the Super Wal-Mart site on Route 184.

The Town Manager explained that plans were submitted to the Inland-Wetlands Agency where certain issues were identified and the plans were returned to Wal-Mart to address the issues.

Planning Director Mike Murphy reported that no response has been received to date from Wal-Mart.

Rep. Chiapperini complimented the Town and Public Works on the work, conditions and appearance of the landfill and transfer station.

Rep. Armstrong expressed concerns about the selection process for the architect for the school building project as reported in the paper.

The Town Manager stated that a lengthy impartial review of all bidders was conducted by the committee.

G. LIAISON REPORTS

1. Town Council - Rep. Cerf

Rep. Cerf attended the Committee of the Whole meeting with the City of Groton as well as Town Council meetings on September 7 and 21, 2004. She highlighted the many topics that were discussed and approved.

2. Economic Development Commission - Rep. Schmidt

Rep. Schmidt reported that a steering committee is being formed for an update of the Economic Development Strategic Plan. She stated that Peter Pappas, chairman of the Commission, has volunteered to discuss the history of and answer questions on the Flanders Road Public Water and Sewer Study at any RTM meeting.

3. Town Council/Board of Education Liaison Committee - Rep. Patterson

Rep. Patterson attended the September 22, 2004 meeting. The Town and Board of Education each presented information regarding their funding and formulas for employee health and medical insurance. The discussion was lengthy on the funding formulas, on both parties agreeing to do things consistently, and on how to control cost increases and discontinuing the 25% risk corridor. Each group feels they can demonstrate success in their formula and that more discussion is needed to arrive at a common solution.

4. Permanent School Building Committee - Rep. Miner

No meeting, no report.

5. P.B.F.D. Consolidation Review Committee - Reps. Steinfeld & Svencer

No meeting, no report.

H. COMMITTEE REPORTS

1. FINANCE

a. Chairman's notes of the business of the Town - Chairman Schmidt

No meeting, no report.

2. COMMUNITY & ECONOMIC DEVELOPMENT

a. Chairman's notes of the business of the Town - Chairman Dickey

Chairman Dickey read the minutes of the October 7, 2004 meeting. (See minutes attached.)

Motion to accept the minutes was made by Rep. Mitchell, seconded by Rep. Baril.

The vote on approval of the minutes was unanimously in favor.

2003-0306 Ordinance for Adoption of Property Maintenance Code - Fort Hill Homes Area NRZ

RESOLUTION APPROVING AN ORDINANCE FOR ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2000 FOR THE FORT HILL HOMES NEIGHBORHOOD REVITALIZATION ZONE

WHEREAS, the Town Council Committee of the Whole has extensively considered a request from neighborhood residents for adoption of a specific property maintenance code, including holding a public hearing in December, 2003, and

WHEREAS, the Town Council has received a petition and citizen statements in opposition to the proposed code and has considered those concerns as expressed, and

WHEREAS, the Town Council deems that the adoption of the property maintenance code will benefit the neighborhood by encouraging and assisting in better practices without causing unfair hardships, and

WHEREAS, the Town Council desires that the detailed implementation of the property maintenance code should be monitored closely and that the NRZ Committee should be encouraged to report back periodically as to its views on the operation of the Code, now therefore be it

RESOLVED, that the Town Council approves the Ordinance for Adoption of International Property Maintenance Code 2000 for Fort Hill Homes Area Neighborhood Revitalization Zone, as follows:

ORDINANCE FOR ADOPTION OF THE INTERNATIONAL PROPERTY MAINTENANCE CODE 2000 FOR FORT HILL HOMES AREA NEIGHBORHOOD REVITALIZATION ZONE

Be it ordained by the Town Council of the Town of Groton:

Section 1. Purpose and Title

An ordinance establishing the minimum regulations governing the conditions and maintenance of all property, buildings and structures within the boundaries of the Fort Hill Neighborhood Revitalization Zone as described and defined by Groton Ordinance Section 9-217; by providing the standards for supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; and the condemnation of buildings and structures unfit for human occupancy and use; the demolition of such structures; known as the Property Maintenance Code 2000 for the Fort Hill Neighborhood Revitalization Zone.

Section 2. Legislative Findings of Fact

(a) It is hereby found that through the efforts of property owners and residents of the area of the Town of Groton known as the Fort Hill Neighborhood Revitalization Zone and of various Town of Groton officials and agencies, the condition of many of the residential structures and properties within said Neighborhood Revitalization Zone has been markedly improved since the creation of the Neighborhood Revitalization Zone Committee. But it is also hereby found that despite such efforts, the condition of many residential structures and properties within said Neighborhood Revitalization Zone remains substandard and that such conditions adversely affect public health and safety and lead to the continuation, extension and aggravation of deterioration within said Neighborhood Revitalization Zone.

(b) It is further hereby found that adequate protection of the public health, safety and welfare of the residents of said Neighborhood Revitalization Zone and of all other residents of the Town of Groton therefore requires the establishment and enforcement of certain minimum property maintenance standards to be applied within said Neighborhood Revitalization Zone.

(c) It is further hereby found that the deteriorated and blighted structures and properties continue

to exist within said Neighborhood Revitalization Zone to an extent and a degree not found in other areas of the Town of Groton.

(d) It is thereby further found that the enactment and enforcement of a Property Maintenance Code to be applied only within the boundaries of the Fort Hill Neighborhood Revitalization Zone is essential to the continuation and completion of the rehabilitation and restoration of the structures and properties within the zone and to the continued and increasing well being of its residents.

Section 3. Pursuant to authority granted the Town by the Connecticut General Statutes, including without limitation by Connecticut General Statutes 7-148 (c)(7)(H)(xv), a certain document, copies of which are on file in the office of the Town Clerk of the Town of Groton, being marked and designated as the International Property Maintenance Code 2000 as published by the International Code Council, Inc., be and is hereby adopted as the Property Maintenance Code of the Fort Hill Homes Neighborhood Revitalization Zone for the control of buildings and structures as herein provided; and each and all of the regulations, provisions, penalties, conditions and terms of said Property Maintenance Code are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 4 of this ordinance.

Section 4. The following sections are hereby revised:

Section 101.1. Insert: Town of Groton Fort Hill Homes Area - Neighborhood Revitalization Zone (NRZ)

Section 103.0. Insert: Whenever Department of Property Maintenance Inspection is used in the Property Maintenance Code and in the ordinance, the Office of Planning and Development Services, Inspection Services, shall be inserted. All references to Code Official shall also apply to other designated inspectors as shall be necessary for administration of this code, and as authorized by the appointing authority.

Section 103.6. Delete

Section 106.1. Delete existing and change to:

It shall be unlawful for any person, firm or corporation to erect, construct, alter, extend, repair, remove, demolish, maintain, fail to maintain, provide, fail to provide, occupy, let to another or occupy or permit another person to occupy any premises, property, structure or equipment regulated by this code, or cause same to be done, contrary to or in conflict with or in violation of any of the provisions of this code, or to fail to obey a lawful order of the code official, or to remove or deface a placard or notice posted under the provisions of this code.

Section 106.3 Delete existing and change to:

In case of any unlawful acts, the code official shall institute an appropriate action or proceeding at law to exact the penalty provided in Section 106.4. The code official shall ask the jurisdiction's legal representative to proceed at law or in equity against the person responsible for the violation for the purpose of ordering that person:

1. To restrain, correct or remove the violation or refrain from any further execution of work;
2. To restrain or correct the erection, installation, maintenance, repair or alteration of such structure;
3. To require the removal of work in violation; or
4. To prevent the occupancy of the structure that is not in compliance with the provisions of this code.

Section 106.4. Delete existing and change to:

Violation of Penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws, and the fine will be up to \$90. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

110.1 Correct spelling: insanitary to unsanitary.

Section 111.2 Change: Minimum of three (3) members to five (5) members.

Section 302.8 Delete: the second sentence in the first (1st) paragraph: "Painting of vehicles is prohibited unless conducted inside an approved spray booth".

Delete: "Exception: A vehicle of any type is permitted to undergo major overhaul, including body work, provided that such work is performed inside a structure or similarly enclosed area designed and approved for such purposes."

Replace deleted exception with the following:

Exception: A vehicle is permitted to undergo repairs, excluding body work, provided that such work is performed inside a structure approved for such purposes. And provided further that such vehicle is owned by the occupant of the premises. The spray painting of vehicles of any kind is not permitted anywhere on the premises unless approved and licensed by the State of Connecticut for such purposes.

Section 303.5 Add: and skirting, "after all foundation walls".

Section 303.14. Insert: May 1st and October 15th.

Delete a portion of the 1st sentence: "and every swinging door shall have a self-closing device in good working condition".

Section 305.3.1 Add: Except when the dwelling is rented or leased, then the tenant/occupant shall be responsible for the provision of an approved leakproof covered outside garbage container(s).

Section 402.4 New Addition: Lighting. All residential occupancy shall have available lighting at all means of egress, including outside stairways to the dwelling.

Section 602.3. Delete: "during the period from [DATE] to [DATE]".

Section 602.4. Delete: "during the period from [DATE] to [DATE]".

Section 702.2. Add: Change International Fire Code to State of Connecticut Fire Code.

Section 5. That Ordinance Number ____ of the Town of Groton entitled International Property Maintenance Code 2000 for the Fort Hill Homes Neighborhood Revitalization Zone is adopted, and if any other ordinance or parts of ordinances are in conflict herewith, the more restrictive provision shall apply.

Section 6. That nothing in this ordinance or in the Property Maintenance Code hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 7. That the Town Clerk shall certify to the adoption of this ordinance, and cause the same to be published as required by law; and this ordinance shall take effect and be in force from and after its approval as required by law.

Refer to RTM.

Not Vetoed

3. EDUCATION

a. Chairman's notes of the business of the Town - Chairman Newsome

No meeting, no report.

4. HEALTH & SOCIAL SERVICES

a. Chairman's notes of the business of the Town - Chairman DeMatto

No meeting, no report.

5. RECREATION

a. Chairman's notes of the business of the Town - Chairman delaCruz

No meeting, no report.

6. PUBLIC SAFETY

a. Chairman's notes of the business of the Town - Chairman Vivirito

No meeting, no report.

7. PUBLIC WORKS

a. Chairman's notes of the business of the Town - Chairman Collins

No meeting, no report.

8. RULES & PROCEDURES**a. Chairman's notes of the business of the Town - Chairman Weil**

No meeting, no report.

The Moderator called a five minute recess. Rep. Swift left during the recess.

I. OTHER BUSINESS**Budget Discussion with the Town Council**

The Moderator thanked the Councilors for attending the RTM meeting for the specific purpose of budget discussion. She read the Leadership Summary. (See attached report.) The floor was opened to questions and comments.

Mayor Watson explained that he made a referral to address the desire of RTM members to have input before the budget process begins. He stated it was appropriate to have this discussion now prior to the Town Manager's guidelines to Department Heads at the start of the next FY budget process. He expressed approval for the RTM Leadership Summary.

Councilor Billing expressed her agreement with Mayor Watson. She clarified her own assumptions for item #5, assuming small incremental tax increases are more palatable in order to avoid large tax rate increase, and item #7 that if the Fund Balance was very large (over 10 million), that consideration may be used to help with balancing the budget.

Rep. Granatosky reviewed the caucus budget discussion that preceded the Leadership Summary. She feels the RTM is opposed to any directive for 0% increase for the upcoming Town budget. She stated a survey to residents similar to the questions used for the RTM would be a wise future budget tool to gain access to public opinion on the direction that the Administration, Council and RTM should proceed. She asked for more information on the process and formula for tax abatements granted by the Town and if this may be having an effect on businesses locating in Groton.

The Mayor stated that a presentation about tax abatements, enterprise zones, the formula used and how we compare to other towns may benefit both the RTM and Council.

Rep. Vivirito stated the summary was a bipartisan effort and arrived by consensus of the RTM. Councilor Skrmetti stated his support of item #1, that the RTM could be more pro-active, and suggested the RTM could use its power of initiative. He believes that the Town and Board of Education organization and department structure should be reviewed, streamlined and consolidated wherever possible to prevent duplication of services before raising taxes. He believes the Fund Balance guidelines are not specific and the Council should set limits and guidelines.

Rep. Walker asked if the Council will be directing the Town Manager for a 0% increase for the town budget this year.

The Mayor stated the Council has not discussed that yet.

Rep. Sebastian stated that an independent efficiency survey study of Town departments and operations is needed. He has reviewed organizational charts from the town and believes some town management and further reductions may be necessary to become more efficient, maintain taxes and provide tax relief to the elderly.

Councilor Billing believes that staff and services have already been reduced and cannot see another 0% increase budget.

Rep. Schmidt expressed concern about the impact on current employees and the quality of work resulting from employee reductions that have resulted from 0% increase budgets.

Councilor Skrmetti believes there are many ways to consolidate between the Board of Education and the Town for certain services. He feels it is necessary to review consolidation to ensure we give the taxpayers the best value for their taxes.

Rep. Dowling asked what the Fund Balance limits are.

The Mayor stated that a 5% balance is maintained for the Town's bond rating. Councilor Skrmetti noted that his personal recommendation, which was never adopted by the Council, would be a fund balance of one month's expenses or about eight percent. Councilor Bond expressed frustration with her first experience last year with the budget process. She feels consolidation of Board of Education and Town services needs to be evaluated and considered. She endorses open space acquisition which prevents residential sprawl and helps to lower taxes. She stated the Town needs to spur economic development which would also help to maintain lower taxes in the future. The Moderator summarized that the report is the philosophy of the majority of the RTM. She thanked all members for their diligent work in caucus to assist the RTM Leadership in preparation of this report.

J. ADJOURNMENT

A motion to adjourn at 9:13 p.m. was made by Rep. Walker, seconded by Rep. Bartinik. The motion carried unanimously.

Attest:

*Barbara Tarbox, Town Clerk
Clerk of the RTM*

Sally A. Whitney, Assistant Town Clerk